



Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30333

March 15, 2019

Paul Gottinger
MuckRock News
DEPT MR 67369
411A Highland Ave
Somerville, Massachusetts 02144
Via email: 67369-78441623@requests.muckrock.com

Dear Mr. Gottinger:

This letter is regarding your Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry (CDC/ATSDR) Freedom of Information Act (FOIA) request of January 25, 2019, assigned #19-00388-FOIA, for:

Any and all talking points and similar memorandums, emails, and transcripts providing advice or direction on how to handle the media, media interviews, and statements used by personal employed by or working for the Centers for Disease Control and Prevention, which relates to the US government shutdown. (December 22, 2018 to the present date)

We located 78 pages of responsive records (78 pages released in full or part; no pages withheld in full). After a careful review of these pages, some information was withheld from release pursuant to 5 U.S.C. §552, Exemption (b)(5).

Exemption (b)(5) protects inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency. Exemption (b)(5) therefore incorporates the privileges that protect materials from discovery in litigation, including the deliberative process, attorney work-product, and attorney-client privileges. Information withheld under this exemption was protected under the deliberative process privilege. The deliberative process privilege protects the decision-making process of government agencies. The deliberative process privilege protects materials that are both pre-decisional and deliberative. The materials that have been withheld under the deliberative process privilege of Exemption (b)(5) are both pre-decisional and deliberative, and do not contain or represent formal or informal agency policies or decisions. Examples of information withheld include pre-decisional deliberative clearance matters.

Exemption (b)(6) protects information in personnel and medical files and similar files when disclosure would constitute a clearly unwarranted invasion of personal privacy. The information that has been withheld under Exemption (b)(6) consists of personal information, such as personal cell phone numbers. We have determined that the individual(s) to whom this information pertains has a substantial privacy interest in withholding it.

Documents (or portions of documents) belonging to the Department of Health and Human Services were found in our search. In accordance with the Department's implementing regulations, CDC does not make decisions on the release or denial of other agencies' documents. We have referred your request and the above pages to the Department of Health and Human Services for their release determination and direct reply to you.

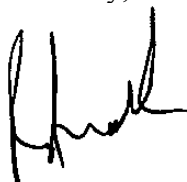
Please contact HHS directly with questions about these referred pages:

Freedom of Information Officer
Hubert H. Humphrey Building, Room 729H
200 Independence Avenue, SW
Washington, D.C. 20201
Email: FOIARequest@hhs.gov
Phone: 202-690-7453
Fax: 202-690-8320
FOIA Officer: Michael Marquis

You may contact our FOIA Public Liaison at 770-488-6277 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may administratively appeal by writing to the Deputy Agency Chief FOIA Officer, Office of the Assistant Secretary for Public Affairs, U.S. Department of Health and Human Services, Hubert H. Humphrey Building, 200 Independence Avenue, Suite 729H, Washington, D.C. 20201. Please mark both your appeal letter and envelope "FOIA Appeal." Your appeal must be postmarked or electronically transmitted by June 13, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roger Andoh', with a stylized, cursive script.

Roger Andoh
CDC/ATSDR FOIA Officer
Office of the Chief Operating Officer
(770) 488-6399
Fax: (404) 235-1852

Enclosures

19-00388-FOIA